

1987 June 5

(A LOIZOU MALACHTOS LORIS, PIKIS KOURRIS, JJ)

THE PUBLIC SERVICE COMMISSION (NO 5),

*Appellant - Respondent,*

v

MARINA POTOUEDES AND OTHERS,

*Respondents - Applicants*

*(Revisional Jurisdiction Appeal No 680)*

*Revisional Jurisdiction Appeal — Practice — Application that the hearing be deferred — In the circumstances the proper course is to fix the appeal for hearing*

5 After the delivery of the fourth\* ruling in this appeal counsel asked that its hearing be deferred so that the recourses, which had not been served, would be served and be heard together or at least before the hearing of this appeal. Counsel further applied that counsel appearing in the recourses in respect of which the judgment was set aside be given the right to be heard in R A 680

10 Held, (1) The second application, if granted, would amount to hearing counsel on grounds not raised by the appeal, contrary to the ruling of this Court

(2) The proper course is to proceed and hear R A 680

*R A 680 fixed for hearing  
on 18 6 87*

15 **Application.**

20 Application by Counsel requesting that Revisional Appeal No. 680 should not be heard as already directed by the Court and to defer its hearing so that the recourses which had not been served, would be served and be heard together or before the hearing of the appeal.

*A. Vladimirov, for the appellant*

*A. Angelides, A. Ladas and N Papaefstathiou, for the respondents.*

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\* *PSC v Potoudes (1987) 3 C.L.R. 1052*

*L. Papaphilippou, for interested parties.*

*Cur. adv. vult.*

A. LOIZOU J. gave the following ruling of the Court. After the delivery of the fourth ruling of this Court we were asked by learned counsel not to hear Revisional Appeal 680 as we had already 5  
directed and to differ its hearing so that the recourse which had not been served - and in respect of which the judgment under appeal had been set aside - would be served and be heard together or at least before the hearing of this appeal.

There has been made also a further application to the effect that 10  
counsel appearing in those recourses in respect of which the judgment under appeal was set aside be given the right to appear and be heard in this Revisional Appeal No. 680 in which they are no longer parties. This in substance would amount to hearing them on such grounds as we have ruled could not be heard in this 15  
appeal by the ruling of the Court just delivered by His Honour Justice Pikis and by which we prevented Mr. Papaphilippou to address us upon an objection having successfully been raised by counsel now seeking to pursue the reverse to that they brought about by their objection. 20

We have considered what has been said by both sides and we have come to the conclusion that the proper course for us to do is to hear Revisional Appeal 680 and if need arises decide ourselves the question of the hearing of the remaining recourses or leave the matter to be decided upon the proper procedural steps are taken 25  
by counsel.

Having concluded as above we fix the further hearing of Revisional Appeal No. 680 on the 18th June 1987 at 9:30 a.m.

*Order accordingly.*